

Message Text

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FROM USDEL LOS

E.O. 11652: GDS
TAGS: PLOS BF
SUBJ: LOS:ARCHIPELAGO NEGOTIATIONS: US-BAHAMAS

1. SUMMARY: THIS CABLES CONTAINS MEMCON OF INITIAL MEETING WITH MINISTER ADDERLEY ON ARCHIPELAGOES OVER THREE-HOUR MEETING ON APRIL 21 DEVOTED TO DISCUSSION OF SUBSTANCE AND OF TACTICS HOW BEST TO INFLUENCE OUTCOME OF SINGLE TEXT AND ATTITUDES OF OTHER ARCHIPELAGO AND MAJOR MARITIME STATES.

2. ADDERLEYASKED HOW THE ISSUE OF COASTAL, AS OPPOSED TO MID-OCEAN, ARCHIPELAGOS WOULD BE HANDLED. AMB. MOORE ASSURED HIM WE WOULD OPPOSE INCLUDING COASTAL ARCHIPELAGOS IN DISCUSSION OF ARTICLE AS THIS WOULD RAISE GREECE-TURKEY DISPUTE.

3. NEXT POINT ADDERLEY QUESTIONED WAS ARCHIPELAGIC LINE LENGTH LIMITATION AND PROVISION FOR ONE PER CENT EXCEPTIONS. HE STATED GOCB CALCULATIONS PRODUCED THREE LINES OVER 80 MILES, I.E. 90, 110, AND 126 MILES AND LESS THAN 100 LINES WERE USED TO DRAW BOUNDARIES. THE LONGEST LINE WOULD EXCEED 125-MILE LIMITATIO AND THEY WOULD NOT ALL BE COVERED BY EXCEPTION PROVISION. AMB. MOORE AND MR. ALEXANDER REPLIED MANY ADDITIONAL LINES COULD BE DRAWN AROUND BAHAMAS BANK SO AS TO INCREASE NUMBER OF PERMISSIBLE
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EXCEPTIONAL LINES. OUR CALCULATIONS PLACED

LONGEST EXCEPTIONAL LINE AT 122 OR 12E NAUTICAL MILES. GOCB AND US MAPS OF PROPOSED ARCHIPELAGO BOUNDARIES WERE COMPARED AND DIFFERENCES WERE RECORDED BY ALEXANDER WHO OFFERED TO RECALCULATE LINES TO MAKE SURE BAHAMAS COVERED BY DEFINITION. SAME OFFER WAS MADE RE LAND-WATER RATION WHERE GOCB CALCULATION WAS 9:1 COMPARED WITH US CALCULATION OF 6.8:1 AMB. MOORE ALSO INDICATED POSSIBILITY OF US ACCEPTING TWO PER CENT FIGURE FOR EXCEPTIONAL LINES IF NECESSARY.

4. ADDERLEY'S NEXT POINT WAS REFERENCE TO USE OF TERM "ATOLL " IN DESCRIBING ARCHIPELAGO LAND AREA. HE AND O'CONNEL WERE WORRIED US AND UK WERE IN EFFECT REDEFINING "ATOLL" AND THIS DEPARTURE FROM TRADITIONAL DEFINITION COULD CREAT PROBLEM.

5. WIDTH OF SEA LANE WHICH INCLUDED MINIMUM WIDTH EQUAL TO 80 PER CENT OF DISTANCE BETWEEN LAND POINTS ALSO CHALLENGED BY ADDERLEY. HE SAID THIS FIGURE COULD CREATE SELAND WIDER THAN PROVIDED WHERE TERRITORIAL SEA IS THREE MILES. HIS PROBLEM WAS THIS WOULD APPEAR TO BE SURRENDERING SOME OF PRESENT TERRITORIAL SEA. WHEN AMB. MOORE REPLIED WE HAVE SOME FLEXIBILITY ON 80-MILE DISTANCE FIGURE BUT NOT 80 PER CENT MINIMUM AND EXPLAINED PROBLEM IN OTHER ARCHIPELAGO AREAS, ADDERLEY ACCEPTED THIS EXPLANATION. ADDERLEY ALSO WONDERED WHETHER ARCHIPELAGO SEA LANES PROVISION COULD BE MADE IDENTICAL WITH STRAITS TRANSIT PROVISION E.G. RE TRAFFIC SEPARATION.

6. ADDERLEY MADE STRONG OBJECTION TO CHANGE IN JANUARY DRAFT WHICH PROVIDED FOR NOTIFICATION AND TEMPORARY SUSPENSION OF INNOCENT PASSAGE OUTSIDE SEALANES. NEW TEXT ELIMINATED NOTIFICATION PROVISION. AMB. MOORE EXPLAINED THIS WAS URGED BY OTHER MARITIME STATES AND IT WAS AGREED NOTIFICATION WAS PROBABLY LESSER STEP THAN SUSPENSION AND COULD BE ARGUED TO BE SUBSUMED UNDER THIS PROVISION.

7. POLLUTION QUESTION DISCUSSED AT LENGTH IN TERMS
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OF IMCO STANDARDS, GOCB DESIRE TO AVOID HAVING POLLUTION STANDARDS INTERFERE WITH ITS PLANS TO DEVELOP INTO FLAG OF CONVENIENCE STATE, AND PORT STATE ENFORCEMENT AUTHORITY. ADDERLEY UNDERSTOOD IMPORTANCE OF INTERNATIONAL STANDARDS OR LAWS FOR VESSEL-SOURCE POLLUTION STANDARDS.

8. PIPELINES AND CABLES PROVISION WAS DISCUSSED.

ADDERLEY'S POSITION WAS THERE SHOULD BE NO ADDITIONAL RIGHTS BEYOND THOSE WHICH CURRENTLY EXIST. HE WAS ASSURED BY AMB. MOORE THIS WAS OUR INTENTION AND WE WOULD LOOK AT DRAFT LANGUAGE AGAIN TO ASSURE THIS WAS CLEAR.

9. BLANK PROVISION IN ARTICLE REFERRING TO INTERESTS OF OTHER COUNTRIES TO LIVING RESOURCES IN ARCHIPELAGO WAS QUESTIONED BY ADDERLEY. HE INDICATED GOCB LAW PROVIDES FOR TRADITIONAL FISHING RIGHTS FOR FOREIGN FISHERMAN BUT THEY INTERPRET THIS TO APPLY TO CUBANS BUT NOT CUBAN-AMERICANS WHO ARE NEW ENTRANTS TO FISHERY AND WHOM COCB INTENDS TO EXCLUDE. AMB MOORE EXPLAINED THIS BLANK PROVISION WAS INTENDED TO BE COMPLETED TO TAKE CARE OF PROBLEMS OF JAPAN IN INDO-NESEA AND OTHERS. HE OFFERED TO REMAIN QUIET ON THE ISSUE IF THE BAHAMAS DEL SHOULD TRY TO GET THE PROVISION DELETED.

10. THE MEETING CONCLUDED ON THE NOTE THAT AS WE WERE ACCOMODATING THE BAHAMAS' CONCERN OF BEING INCLUDED IN WHATEVER DEFINITION OF AN ARCHIPELAGO THAT MIGHT EMERGE FROM IS BEING PROMOTED IN THE LOS CONFERENCE, THEY SHOULD REMAIN WILLING TO COOPERATE WITH US ON OUR EFFORT TO OBTAIN SATISFACTORY PROVISION FOR TRANSIT THROUGH THE ARCHIPELAGO AND THROUGH STRAITS.

11. FYI: SUBSEQUENT MEETINGS WITH ADDERLEY AND OTHER MEMBERS OF THE BAHAMAS LOS TEAM SUCH AS GEORGE STEWART INDICATE THAT US-BAHAMAS ARCHIPELAGO-STRAITS COOPERATION IS WELL ON TRACK AND THAT RELATIONS ON THESE ISSUES ARE CORDIAL. ABRAMS
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